

*Enlarge EU Newsletter  
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**“One year from the  
establishment of the  
Administrative Court – results  
and future challenges”**

Administrative Courts are courts specialized in dealing with administrative matters. Their role consists of ascertaining that official acts are in accordance with the law. Macedonia, as many other countries, also established its Administrative Court. It was foreseen that this court would offer the citizens right to sue public and state institutions.

Previously the authority to solve problems of administrative nature fell exclusively under the Supreme Court. However, the fact that the Supreme Court was snowed under a huge number of unsolved administrative cases clearly emphasized the inability of this court alone to proceed with further effective solving of these cases, making the establishment of a new court to deal with them beyond doubt.

### About the Court

The Law on Administrative Conflicts, which entered into force on May 27<sup>th</sup>, 2007, envisioned establishment of a Court which would directly deal with the protection of citizens' rights in relation with the Public Administration in Macedonia.

This law entered into force without an established Court to deal with the matters regulated in it. This caused confusion for citizens and legal entities, which were unable to file their complaints and litigate administrative disputes against administrative acts that in certain ways have infringed their rights. This situation did not change until December 2007 when the Administrative Court was finally founded.

The Court counts 22 judges, 6 specialized judicial sectors and 7 judicial councils. Since its formation its functioning is facing enormous difficulties. The biggest shock was caused with the transfer of the 6674 unsolved cases from the Supreme Court. On the other hand, the number of new cases filed by legal entities or by individuals has been growing faster than expected. The number of resolved cases until September 2008 reached 1900. At the moment the total number of unsolved cases is 8000, a number that poses a serious obstruction to the Court's overall performance.

### Future Challenges

The establishment of this Court is of high importance for the citizens of Macedonia. Additionally, the European Commission considers its establishment as a big achievement towards the completion of the reforms in the judicial system. However, having in mind the above mentioned difficulties it faces, immediate actions should be taken in making the Court function properly. These actions with no doubt should start of by hiring more judges and assistants, further professional trainings for judges and other employees in the court, as well as ICT equipping.

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### Quick Facts:

Established:	<b>December 2007</b>
Current number of Judges in the Court:	<b>22</b>
Resolved cases until September 2008:	<b>1900</b>
Average of monthly resolved cases:	<b>300</b>
Current number of unsolved cases:	<b>~8000</b>